



U.S. Department of Justice

*United States Attorney
Southern District of New York*

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

December 14, 2020

BY ECF AND EMAIL

The Honorable Lorna G. Schofield
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Robert Farkas*, 18 Cr. 340 (LGS)

Dear Judge Schofield:

As the Court is aware, Centra Tech, Inc. co-founder Robert J. Farkas is scheduled to be sentenced by the Court tomorrow for fraud conspiracy offenses stemming from his participation along with his co-defendants in a scheme to defraud Centra Tech investors. In anticipation of Farkas' sentencing, the Government respectfully submits this letter, with the consent of Farkas and his counsel, to advise the Court that the Government has just learned that certain information in a victim impact statement cited in the Government's sentencing submission filed October 30, 2020 (Dkt. 405) is inaccurate.

In part because "[t]here are thousands of potential victims of the crimes perpetrated by the defendants through their fraud on Centra Tech investors" (Dkt. 404 at 1-2), the Court previously "found that the number of identifiable victims is so large as to make restitution impracticable" in this case (Dkt. 407 at 1). Nevertheless, to afford as many identifiable victims of the Centra Tech fraud as possible an opportunity to be heard in connection with the sentencings in this case, the Government's Victim Witness Coordinator has issued notifications to more than 1,200 of the identified victims of the Centra Tech fraud informing them of their right to provide victim impact statements in connection with the sentencings in this case. In response, the Government has been receiving tranches of victim impact statements from a number of victims and has been filing them with Court (and producing them to the defense) on a rolling basis pursuant to Rule J(4) of Your Honor's Individual Rules and Procedures for Criminal Case without undertaking to independently verify all of the assertions contained in such victim impact statements.

In reliance on one of those Court-filed victim impact statements from a victim whose initials are "M.C." (the "M.C. VIS"), the Government asserted on page 25 of its October 30 sentencing submission that "[M.C.] reported that he invested in Centra Tech because he 'was looking for ways to invest money so that [his] kids can have a future.' Finding out that Centra Tech was a scam 'sparked and caused a lot of family hardship,' including the end of his nine-year

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marriage.” (Dkt. 405 at 25 (M.C. VIS)). The Government has just learned, however, that M.C.’s wife filed for divorce in or about 2011 and that a judgment dissolving their marriage was entered in or about February 2017, several months before Farkas and his co-defendants started their fraudulent efforts to raise funds from Centra Tech investors.

Accordingly, the Government, with the consent of Farkas through his counsel, respectfully submits this letter to correct the foregoing inaccuracy in the M.C. VIS and in the portion of the Government’s October 30 sentencing submission that relies upon it.

Respectfully submitted,

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Acting Under 28 U.S.C. § 515

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cc: All counsel (via ECF)